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11 Attorneys for Defendant  
GOOGLE INC.

12 UNITED STATES DISTRICT COURT  
13 NORTHERN DISTRICT OF CALIFORNIA  
14 SAN FRANCISCO DIVISION

15 ORACLE AMERICA, INC.,  
16 Plaintiffs,  
17 v.  
18 GOOGLE INC.,  
19 Defendant.  
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Case No. 3:10-cv-03561 WHA

**DECLARATION OF MICHAEL S. KWUN  
IN SUPPORT OF GOOGLE'S RESPONSE  
TO ORACLE'S OBJECTION TO THE  
TESTIMONY OF SIMON PHIPPS**

Trial Date: May 9, 2016  
Dept: Courtroom 8, 19<sup>th</sup> Fl.  
Judge: Hon. William Alsup

1 I, MICHAEL S. KWUN, declare as follows:

2 1. I am of counsel at the law firm of Keker & Van Nest LLP, counsel to Google Inc.  
3 in the present case. I submit this declaration in support of Google's Response to Oracle's  
4 Objection to the Testimony of Simon Phipps I make this declaration based on my own personal  
5 knowledge. If called as a witness, I could and would testify competently to the matters set forth  
6 herein.

7 2. Attached hereto as **Exhibit 1** is a true and correct copy of excerpts from the  
8 Transcript of Proceedings, dated May 10, 2016.

9 3. Attached hereto as **Exhibit 2** excerpts from the deposition of Simon Phipps, taken  
10 on May 7, 2016.

11 4. Attached hereto as **Exhibit 3** is a true and correct copy of Trial Exhibit 7722.

12 I declare under penalty of perjury under the laws of the State of California that the  
13 foregoing is true and correct to the best of my knowledge.

14 Executed this 10th day of May, 2016 at San Francisco, California.

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17 /s/Michael S. Kwun  
Michael S. Kwun  
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